

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF DELAWARE**

IN THE MATTER OF THE APPLICATION)	
OF DELMARVA POWER & LIGHT COMPANY, INC.)	
EXELON CORPORTATION, PEPCO HOLDINGS, INC.)	
PURPLE ACQUISITION CORPORATION, EXELON)	PSC DOCKET NO. 14-193
ENERGY DELIVERY COMPANY, LLC, AND)	
NEW SPECIAL PURPOSE ENTITY, LLC FOR APPROVALS)	
UNDER THE PROVISIONS OF 26 <i>DEL.</i> §§ 215)	
AND 1016 (FILED JUNE 18, 2014))	

STIPULATION

Intervenors, Delaware Department of Natural Resources and Environmental Control (“DNREC”), and Dr. Jeremy Firestone state the following:

1. On March 3, 2015, the Delaware Public Service Commission entered Order No. 8718, which rescheduled the evidentiary hearing in this matter to April 7, 2015, to consider a proposed settlement (the “Settlement Agreement”), with final deliberations to be held on April 21, 2015.

2. At the April 7 hearing, the parties will present evidence for the Commission’s consideration of the terms of the Settlement Agreement and whether those terms are in the public interest, and whether other statutory requirements as set forth in 26 *Del. C.* §§ 215(d), 512, and 1016 are met.

3. The parties to the Settlement Agreement are Delmarva Power & Light Company, Exelon Corporation, Pepco Holdings Inc., Purple Acquisition Company, Exelon Energy Delivery Company, LLC, and Special Purpose entity, LLC (“Joint Applicants”); the Staff of the Delaware Public Service Commission; Delaware Division of the Public Advocate; DNREC; Delaware Sustainable Energy Utility; Mid-Atlantic Renewable Energy Coalition; and the Clean Air Council. Dr. Firestone opposes the Settlement Agreement.

4. The Commission's Order indicated that the April 7, 2015 hearing date presented issues for DNREC, and the parties and the Commission may need to accommodate DNREC to ensure that its testimony can be presented during the April 7, 2015 evidentiary hearing.

5. Dr. Firestone has indicated that he intends to cross-examine DNREC's witness at the April 7, 2015 hearing. In order to accommodate Dr. Firestone's cross-examination of the DNREC witness, and DNREC's conflict with the April 7, 2015 hearing date, Dr. Firestone and DNREC have agreed that:

- a. DNREC will file the direct testimony of its witness by Friday, March 20, 2015.
- b. Dr. Firestone will cross-examine DNREC's witness at a deposition to be held at a mutually agreed date and time as early as possible after March 24, 2015, at the Department of Justice, Carvel State Building, 820 N. French Street, Wilmington, Delaware. Nothing herein precludes any other party from questioning DNREC's witness. DNREC will be responsible for arranging for a court reporter and the cost of the court reporter. Dr. Firestone will be responsible for the cost of and ordering his copy of the deposition transcript.
- c. The Hearing Examiner will be available by phone to resolve any issues that arise during the deposition.
- d. Subject to any objections made on the record and subject to the other Settling Parties not otherwise objecting to the admission of the deposition transcript, DNREC and Dr. Firestone agree that DNREC's pre-filed witness testimony and the deposition transcript shall be admitted into evidence.

- e. Notwithstanding the March 3, 2015 Scheduling Order which requires exhibits to be delivered to the Hearing Examiner by 5:00 pm April 1, 2015, Dr. Firestone will deliver ten (10) copies of the deposition transcript to the Hearing Examiner the latter of April 1, and as soon as practicable given the necessity of having the deposition transcribed.
- f. DNREC's attendance at the April 7, 2015 hearing is excused, but DNREC may participate at the hearing if it chooses to do so.

/s/ Jeremy Firestone

Jeremy Firestone, *pro se*
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Intervenor, pro se

Dated: March 6, 2015

/s/ Devera B. Scott

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Dated: March 6, 2015

SO ORDERED this _____ day of March, 2015.

Mark Lawrence
Senior Hearing Examiner